

STATE OF WISCONSIN
Senate Journal
Ninety–Ninth Regular Session

TUESDAY, March 3, 2009

The Chief Clerk makes the following entries under the above date.

CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated **Monday, March 2, 2009**.

**REFERRALS AND RECEIPT OF COMMITTEE REPORTS
CONCERNING PROPOSED ADMINISTRATIVE RULES**

The committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue** reports and recommends:

Senate Clearinghouse Rule 08–094

Relating to examinations for substance abuse professionals.
No action taken.

Senate Clearinghouse Rule 08–097

Relating to complaint procedures for inmates of the Wisconsin resource center.
No action taken.

JON ERPENBACH
Chairperson

**INTRODUCTION, FIRST READING, AND
REFERENCE OF PROPOSALS**

Read first time and referred:

Senate Bill 95

Relating to: adding a circuit court branch in Calumet County.

By Senators Leibham and A. Lasee; cosponsored by Representatives A. Ott, Townsend and Spanbauer.

To committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing**.

Senate Bill 96

Relating to: diversions under a community integration program of Medical Assistance—eligible persons from imminent entry into nursing homes.

By Senators Leibham, Darling and Robson; cosponsored by Representatives LeMahieu, Townsend, Spanbauer, Petrowski and Kaufert.

To committee on **Public Health, Senior Issues, Long–Term Care, and Job Creation**.

Senate Bill 97

Relating to: authorizing temporary permits to practice dentistry or dental hygiene without compensation.

By Senators Vinehout, Lehman, Kapanke, Erpenbach, Hansen, Holperin, Kreitlow, Harsdorf, Darling, Taylor, Olsen, Schultz, Wirch, Plale, Robson, Lassa, Cowles and Grothman; cosponsored by Representatives Shilling, Danou, Mason, Pasch, Radcliffe, Garthwaite, Richards, Huebsch, Smith, Sherman, Clark, Young, Vukmir, Pope–Roberts, Milroy, Wood, Kerkman, Dexter, Hintz, Strachota, Soletski, Gunderson, Staskunas, Petersen, Davis, Black, Ballweg, Berceau, Kaufert, Hilgenberg, Molepske Jr., Townsend, Sinicki, Zipperer, A. Williams, Zepnick and Kleefisch.

To committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue**.

Senate Bill 98

Relating to: appellate procedure regarding commitments of persons found not guilty by reason of mental disease or defect and commitments of sexually violent persons.

By Senators Taylor and Risser; cosponsored by Representatives Hebl, Staskunas, Turner and Townsend, by request of Wisconsin Judicial Council.

To committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing**.

Senate Bill 99

Relating to: appellate time limits and procedure.

By Senators Taylor and Risser; cosponsored by Representatives Hebl, Staskunas, Turner and Townsend, by request of Wisconsin Judicial Council.

To committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing**.

Senate Bill 100

Relating to: appellate procedure.

By Senators Taylor and Risser; cosponsored by Representative Hebl, by request of Wisconsin Judicial Council.

To committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing**.

Senate Bill 101

Relating to: battery to a highway construction or maintenance worker and providing a penalty.

By Senators Lehman and A. Lasee; cosponsored by Representatives Vos, Kerkman, A. Ott, Turner, Zepnick and Brooks.

To committee on **Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing**.

Senate Bill 102

Relating to: periods of revocation of driving privileges after committing certain offenses related to operating a vehicle while intoxicated.

By Senators Carpenter, Kreitlow, Kedzie and Darling; cosponsored by Representatives Zepnick, Berceau, Townsend, Pope–Roberts and A. Ott.

To committee on **Transportation, Tourism, Forestry, and Natural Resources**.

Senate Bill 103

Relating to: restrictions on the operation of motor vehicles by persons using electronic text messaging devices and providing a penalty.

By Senators A. Lasee, Cowles, Lehman, Carpenter, Risser, Lassa, Harsdorf, Taylor, Darling, Schultz, Olsen and Hansen; cosponsored by Representatives Barca, Townsend, Van Roy, Bies, Spanbauer, Lothian, Petrowski, A. Ott, Friske and Strachota.

To committee on **Transportation, Tourism, Forestry, and Natural Resources**.

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Department of Administration**

February 27, 2009

The Honorable, The Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes) and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of January 2009.

On January 1, 2009, the Injured Patients and Families Compensation Fund cash balance closed at a negative \$102.7 million. This negative balance continued through January 31, 2009, when the fund’s cash balance closed at a negative \$101.4 million. The Injured Patients and Families Compensation Fund cash balance reached its intra–month low of a negative \$104.1 million on January 8, 2009. The negative balance was due to the transfer of \$200 million to the Medical Assistance Trust Fund per 2007 Wisconsin Act 20, and the pending liquidation of fund securities necessary to offset this shortfall.

On January 1, 2009, the Conservation Fund cash balance closed at a negative \$ 12.1 million. This negative balance continued through January 31, 2009, when the fund’s cash balance closed at a negative \$27.3 million (its intra–month low). The negative balance was due to the difference in the timing of revenues and expenditures.

On January 1, 2009, the Utility Public Benefits Fund cash balance closed at a negative \$4.3 million. This negative balance continued through January 31, 2009, when the fund’s cash balance closed at a negative \$6.6 million (its intra–moth low). The negative balance was due to a delayed transfer to the fund.

On January 1, 2009, the Dry Cleaner Environmental Response Fund cash balance closed at a negative \$14 thousand. This negative balance continued through January 26, 2009, when the fund’s cash balance closed at a positive \$5 thousand. The Dry Cleaner Environmental Response Fund cash balance reached its intra month low of a negative \$39 thousand on

January 5, 2009. The negative balance was due to timing of revenues and expenditures.

The Injured Patients and Families Compensation Fund, Conservation Fund, Utility Public Benefits Fund, and Dry Cleaner Environmental Response Fund shortfalls were not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to joint committee on **Finance**.

**REFERRALS AND RECEIPT OF COMMITTEE
REPORTS CONCERNING PROPOSED
ADMINISTRATIVE RULES**

Senate Clearinghouse Rule 08–033

Relating to the service award program for volunteer fire fighters, first responders and emergency medical technicians. Submitted by Department of Administration. Report received from Agency, March 2, 2009.

Referred to committee on **Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection**, March 3, 2009.

Senate Clearinghouse Rule 08–098

Relating to background checks of individuals who provide personal care services, and affecting small businesses. Submitted by Department of Health Services. Report received from Agency, February 27, 2009.

Referred to committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue**, March 3, 2009.

The committee on **Health, Health Insurance, Privacy, Property Tax Relief, and Revenue** reports and recommends:

Senate Clearinghouse Rule 08–089

Relating to practice hours and internship for social workers.

No action taken.

JON ERPENBACH
Chairperson

The committee on **Transportation, Tourism, Forestry, and Natural Resources** reports and recommends:

Senate Clearinghouse Rule 08–062

Relating to the administration of the urban forestry catastrophic storm grant program.

No action taken.

JIM HOLPERIN
Chairperson